

REMARKS

This application has been carefully reviewed in light of the Office Action dated August 9, 2006. Claims 1 to 3, 8 to 13 and 25 are in the application, with Claims 4 to 7 and 14 to 24 (the non-elected claims) having been cancelled. Claims 1, 8 to 13 and 25 are the independent claims herein. Reconsideration and further examination are respectfully requested.

The drawings were objected to, and specifically, Figs. 1 and 2 were objected to for allegedly failing to show labels for "10" as described in the specification. The objections are traversed. Specifically, the specification states in unambiguous terms that reference numeral "10" is a commercial server. Reference numeral 10 is also included in both of Figs. 1 and 2. Applicant fails to see how including a label of "commercial server" on either of Figs. 1 or 2 would aid in understanding the claimed invention when the drawings depict what is described in the specification in unambiguous terms. Nonetheless, Figs. 1 and 2 have been amended to include a "Commercial Server" label for reference numeral 10. Replacement sheets for Figs. 1 and 2 that incorporate the foregoing changes accompany this Amendment and approval of the Replacement Sheets is respectfully requested.

Claims 1 and 8 to 10 were objected to. The objections appear to be formal in nature and therefore, the claims have been amended giving due consideration to the points noted in the Office Action. Reconsideration and withdrawal of the objections to the claims are respectfully requested.

Claims 7, 10 and 13 were rejected under 35 U.S.C. § 101. Without conceding the correctness of the rejections, the claims have nonetheless been amended to

make it even clearer that the computer program is embodied on a computer readable storage medium. Thus, the claims are believed to be statutory and reconsideration and withdrawal of the § 101 rejections are respectfully requested.

Claims 1 to 3 were rejected under 35 U.S.C. § 112, second paragraph. Again, without conceding the correctness of the rejections, the claims have been amended giving due consideration to the points noted in the Office Action. Reconsideration and withdrawal of the § 112 rejections are respectfully requested.

Claims 1 and 3 were rejected under 35 U.S.C. § 103(a) over U.S. Publication No. 2005/0166257 (Feinleib) in view of U.S. Publication No. 2006/0010471 (Zigmond) and U.S. Publication No. 2004/0210943 (Philyaw), Claim 2 was rejected under § 103(a) over Feinleib in view of Zigmond and Philyaw and further in view of WO 00/01154 (Rajan), Claims 4 and 6 to 10 were rejected under § 103(a) over Feinleib in view of Zigmond, Claim 5 was rejected under § 103(a) over Feinleib in view of Zigmond and further in view of U.S. Publication No. 2002/0038455 (Srinivasan), and Claims 11 to 13 were rejected under § 103(a) over Feinleib in view of Philyaw. Reconsideration and withdrawal of the art rejections are respectfully requested.

The present invention concerns dynamically inserting commercial advertisements into digital video streams over the Internet. According to the invention, a user of an Internet terminal inputs a designation related to a second program, whereby the terminal accesses a content management server using a described URL for the second program. The terminal also provides the content server with information specifying a sponsor of a broadcast program received by the terminal. The content server then searches for corresponding commercial content from a database based on the information specifying

the sponsor and information determining a combination of the sponsor and the commercial content of the second program, and then notifies the commercial content to the content server. The content server then combines the content and the commercial content and transmits them to the terminal. In this manner, it is possible to avoid presenting competing commercial advertisements of different sponsors for both the broadcast program and the second program.

With specific reference to the claims, amended independent Claim 1 is directed to An Internet DTV system comprising a digital broadcast station that broadcasts a program by using a well-known broadcast radio wave, a commercial server provided on the Internet that holds a content management server, managing or delivering second programs and sponsor commercials, and a terminal, provided on an audience side, that receives a digital broadcast and accesses the Internet. The broadcast station comprises broadcasting means for broadcasting information described in a predetermined format specifying the program, display of a second program to be selected by an audience, address information indicating a location of content upon selection of the second program, and a sponsor of the program. The terminal comprises receiving means for receiving information from the broadcast station, access means for accessing the Internet, first output means for combining the received program with the second program in accordance with a received description and outputting the program to a predetermined display device, input means for inputting designation information from an operator, request means for, if an input designation is related to the second program, accessing the content management server by the access means by using a described URL for the second program, notifying information to specify the sponsor, and issuing a request for transfer of the content, and second output means for

outputting the content received from the content management server to the display device.

The content management server comprises request means for requesting commercial content from the commercial server, and combining means for combining the commercial content sent from the commercial server with the content requested by the terminal and transmitting the information to the terminal. The commercial server comprises a database that holds commercial contents, and searching means for searching for a corresponding commercial content from the database based on the information specifying the sponsor requested from the content management server and information determining the combination of the sponsor and the commercial content of the second program, and notifying the commercial content to the content management server.

Claim 8 is directed to the terminal of Claim 1, Claims 9 and 10 are method and computer medium claims, respectively, that correspond to Claim 8, Claim 11 is directed to the content management server of Claim 1, and Claims 12 and 13 are method and computer medium claims, respectively, that correspond to Claim 11.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of Claims 1 and 8 to 13. In particular, with regard to Claim 1, the art is not seen to disclose or to suggest at least the features of a commercial content server searching for a corresponding commercial content from a database based on information, included in a request from a terminal, specifying a sponsor requested from a content management server and information determining a combination of the sponsor and the commercial content of second program, and notifying the commercial content to the content management server. Similarly, with regard to Claims 8 to 10, the art is not seen to disclose or to suggest the features of a terminal that receives a digital broadcast, if an input

designation is related to a second program, accessing a content management server by using a described URL for the second program, notifying information to specify a sponsor, and issuing a request for transfer of a content of the second program and a commercial content, and outputting content received from the content management server to said display device, wherein the commercial content is determined based on the information specifying the sponsor and information determining a combination of the sponsor and the commercial content of the second program. Likewise, with regard to Claims 11 to 13, the art is not seen to disclose or to suggest at least the features of a content management server receiving, from a terminal on an audience side, information specifying content and information specifying a sponsor, and based on the received information specifying the sponsor and information determining a combination of the sponsor and a commercial content of a second program, requesting transfer of commercial content corresponding to the sponsor from a predetermined commercial server provided on the Internet.

Feinleib merely discloses a system delivering streaming contents such as moving pictures on the Internet, where contents held by a plurality of content providers are synthesized in accordance with announcements. However, as rightly admitted in the Office Action, Feinleib fails to teach the above features of Claims 1 and 8 to 13.

Zigmond merely discloses a computer system which displays Internet content associated with television programming. The Office Action more or less admits that the foregoing is all that Zigmond discloses. Specifically, the Office Action fails to point out any portion of Zigmond which teaches the above-features of the invention. That is, the Office Action fails to even allege that Zigmond teaches the features of a commercial content server searching for a corresponding commercial content from a database based on

information, included in a request from a terminal, specifying a sponsor requested from a content management server and information determining a combination of the sponsor and the commercial content of second program, and notifying the commercial content to the content management server (Claim 1), a terminal that receives a digital broadcast, if an input designation is related to a second program, accessing a content management server by using a described URL for the second program, notifying information to specify a sponsor, and issuing a request for transfer of a content of the second program and a commercial content, and outputting content received from the content management server to said display device, wherein the commercial content is determined based on the information specifying the sponsor and information determining a combination of the sponsor and the commercial content of the second program (Claims 8 to 10), or a content management server receiving, from a terminal on an audience side, information specifying content and information specifying a sponsor, and based on the received information specifying the sponsor and information determining a combination of the sponsor and a commercial content of a second program, requesting transfer of commercial content corresponding to the sponsor from a predetermined commercial server provided on the Internet (Claims 11 to 13).

Philyaw merely discloses a system in which a PC receives audio signals, accesses an Advertiser Reference Server specified by Advertiser information included in the received audio signals, receives product information from the advertiser server, combines the audio signals and the product information, and re-distributes the combination. That is, Philyaw merely teaches accessing advertisements and combining them with audio signals. However, Philyaw is not seen to disclose or to suggest anything

that, when combined with Feinleib and/or Zigmond, would have resulted in the features of a commercial content server searching for a corresponding commercial content from a database based on information, included in a request from a terminal, specifying a sponsor requested from a content management server and information determining a combination of the sponsor and the commercial content of second program, and notifying the commercial content to the content management server (Claim 1), a terminal that receives a digital broadcast, if an input designation is related to a second program, accessing a content management server by using a described URL for the second program, notifying information to specify a sponsor, and issuing a request for transfer of a content of the second program and a commercial content, and outputting content received from the content management server to said display device, wherein the commercial content is determined based on the information specifying the sponsor and information determining a combination of the sponsor and the commercial content of the second program (Claims 8 to 10), or a content management server receiving, from a terminal on an audience side, information specifying content and information specifying a sponsor, and based on the received information specifying the sponsor and information determining a combination of the sponsor and a commercial content of a second program, requesting transfer of commercial content corresponding to the sponsor from a predetermined commercial server provided on the Internet (Claims 11 to 13).

Srinivasan is merely seen to disclose a method for inserting a scheduled commercial of a sponsor into a scheduled content of an Internet broadcast. However, Srinivasan is not seen to disclose or to suggest anything that, when combined with Feinleib, Zigmond and/or Philyaw, would have resulted in at least the features of a

commercial content server searching for a corresponding commercial content from a database based on information, included in a request from a terminal, specifying a sponsor requested from a content management server and information determining a combination of the sponsor and the commercial content of second program, and notifying the commercial content to the content management server (Claim 1), a terminal that receives a digital broadcast, if an input designation is related to a second program, accessing a content management server by using a described URL for the second program, notifying information to specify a sponsor, and issuing a request for transfer of a content of the second program and a commercial content, and outputting content received from the content management server to said display device, wherein the commercial content is determined based on the information specifying the sponsor and information determining a combination of the sponsor and the commercial content of the second program (Claims 8 to 10), or a content management server receiving, from a terminal on an audience side, information specifying content and information specifying a sponsor, and based on the received information specifying the sponsor and information determining a combination of the sponsor and a commercial content of a second program, requesting transfer of commercial content corresponding to the sponsor from a predetermined commercial server provided on the Internet (Claims 11 to 13).

Rajan is not seen to make up for the foregoing deficiencies and is merely seen to disclose a technique of MPEG-4 BIFS. However, any permissible combination of Feinleib, Zigmond, Philyaw, Srinivasan and/or Rajan, would not have resulted in at least the features of a commercial content server searching for a corresponding commercial content from a database based on information, included in a request from a terminal,

specifying a sponsor requested from a content management server and information determining a combination of the sponsor and the commercial content of second program, and notifying the commercial content to the content management server (Claim 1), a terminal that receives a digital broadcast, if an input designation is related to a second program, accessing a content management server by using a described URL for the second program, notifying information to specify a sponsor, and issuing a request for transfer of a content of the second program and a commercial content, and outputting content received from the content management server to said display device, wherein the commercial content is determined based on the information specifying the sponsor and information determining a combination of the sponsor and the commercial content of the second program (Claims 8 to 10), or a content management server receiving, from a terminal on an audience side, information specifying content and information specifying a sponsor, and based on the received information specifying the sponsor and information determining a combination of the sponsor and a commercial content of a second program, requesting transfer of commercial content corresponding to the sponsor from a predetermined commercial server provided on the Internet (Claims 11 to 13).

In view of the foregoing amendments and remarks, Claims 1 to 3 and 8 to 13 are believed to be allowable.

In another related aspect of the invention, newly-added independent Claim 25 is directed to a display device. The display device has a receiving means for receiving first and second programs, and a display means for displaying the first and second programs in parallel. The display device also has a display control means for displaying a commercial content of the second program determined based on information specifying a

sponsor of the first program and information designating a combination of the sponsor and a commercial content of the second program.

The art of record is not seen to teach the features of Claim 25, and in particular, is not seen to teach at least the feature of a display device having a display control means for displaying a commercial content of a second program determined based on information specifying a sponsor of a first program and information designating a combination of the sponsor and a commercial content of the second program.

As discussed above, none of Feinleib, Zigmond, Philyaw, Srinivasan and/or Rajan teach that commercial content of a second program is determined based on information specifying a sponsor of a first program and information designating a combination of the sponsor and a commercial content of the second program. Thus, the art fails to teach the features of Claim 25.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Edward Kmett/

Edward A. Kmett
Attorney for Applicant
Registration No.: 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

CA_MAIN 123048v1